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# PLANT PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications filed under 37 CFR 1.53(b))

Attorney Docket No.	1461-005PP
First Named Inventor	Andrew Geoffrey Fiennes WARREN
Title	Calla Lily Plant Named 'Black Jack'
Express Mail Label No.	EV207753164US

22390 U.S. PTO  
10/766112  
012704

ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## APPLICATION ELEMENTS

See MPEP chapters 600 & 1600 concerning plant patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Specification [Total Pages 6]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Latin name of genus and species
  - Variety denomination
  - Background of the Invention
  - Brief Description of the Drawings
  - Detailed Botanical Description
  - A single claim
  - Abstract of the Disclosure
- ☒ Color drawing(s) [Total Sheets 9]  
(2 copies required - 37 CFR 1.165(b))
- Oath or Declaration [Total Pages 2]
  - ☒ Newly executed (original or copy)
  - Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 16 completed)  
 DELETION OF INVENTOR(S)  
 Signed statement attached deleting  
 inventor(s) named in the prior application,  
 see 37 CFR 1.63(d)(2) and 1.33(b).
- ☒ Application Data Sheet. See 37 CFR 1.76.

## ACCOMPANYING APPLICATION PARTS

- ☒ Assignment Papers (cover sheet & document(s))
  - ☐ 37 CFR 3.73(b) Statement  
(when there is an assignee) ☐ Power of Attorney
  - ☐ English Translation Document (if applicable)
  - ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
  - ☐ Preliminary Amendment
  - ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
  - ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
  - ☐ Request Nonpublication under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form  
PTO/SB/35 or its equivalent.
  - Other: Certificate of Express Mail Label  
No. EV207753164US
- Note: Please state the Latin name and variety denomination of the plant claimed in a separate section of the specification.

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76.

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number: 32915 OR ☐ Correspondence address below

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Name (Print/Type)	Kenyon L. Schuett	Registration No. (Attorney/Agent)	44,324
Signature	<i>Kenyon L. Schuett</i>	Date	January 27, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# **FEE TRANSMITTAL for FY 2003 (Small Entity)**

*Complete if Known*

Application Number	10/
Filing Date	
First Named Inventor	Andrew Geoffrey Fiennes WARREN
Examiner Name	
Group Art Unit	

Total Amount of Payment	(\$305.00)	Attorney Docket Number	1461-005PP
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## **METHOD OF PAYMENT (check one)**

## **FEE CALCULATION (continued)**

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 50-2368 in the name of Jondle & Associates P.C.

☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status.

2. ☒ Payment Enclosed:

☒ Check

☐ Credit Card

## **3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
2051	65	Surcharge - late filing fee or oath	[ ]
2052	25	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1805	1,840*	Requesting publication of SIR after Examiner action	[ ]
2251	55	Extension for reply within first month	[ ]
2252	210	Extension for reply within second month	[ ]
2253	475	Extension for reply within third month	[ ]
2254	740	Extension for reply within fourth month	[ ]
2255	1,005	Extension for reply within fifth month	[ ]
2401	165	Notice of Appeal	[ ]
2402	165	Filing a brief in support of an appeal	[ ]
2403	145	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
2452	55	Petition to revive -unavoidable	[ ]
2453	665	Petition to revive - unintentional	[ ]
2501	665	Utility issue fee (or reissue)	[ ]
2502	240	Design issue fee	[ ]
2503	320	Plant issue fee	[ ]
1460	130	Petitions to the Commissioner	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
8021	40	Recording each patent assignment per property (times number of properties)	[40.00]
2809	385	Filing a submission after final rejection (37 CFR .129(a))	[ ]
2810	385	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
2801	385	Request for Continued Examination (RCE)	[ ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing an application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
		Other fee (specify) Statutory Disclaimer	[ ]

## **FEE CALCULATION**

### **1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
2001	385	Utility filing fee	[ ]
2002	170	Design Filing Fee	[ ]
2003	265	Plant Filing Fee	[265.00]
2004	385	Reissue Filing Fee	[ ]
2005	80	Provisional Filing Fee	[ ]

**SUBTOTAL \$265.00**

### **2. CLAIMS**

Total Claims Independent	Extra Claims	Fee \$	Fee Paid
[ ] - 20** = [ ] x		\$ 9 = [ ]	
Claims [ ] - 3** = [ ] x		43 = [ ]	
Multiple Dependent Claims +		145 = [ ]	

\*\*or number previously paid, if greater;

**SUBTOTAL \$**

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL \$40**

SUBMITTED BY		Complete (if applicable)	
NAME AND REG. NUMBER	Kenyon L. Schuett, Reg. No. 44,324		
SIGNATURE	DATE	DEPOSIT ACCOUNT USER ID	
<i>Kenyon L. Schuett</i>	January 27, 2004		

Certificate of Mailing by Express Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (post office to addressee) in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on this 28th day of January 2004. The number of the Express Mail mailing label is EV207753164US.

A handwritten signature in cursive script, reading "Kenyon L. Schuett", written over a horizontal line.

Kenyon L. Schuett

Reg. No. 44,324

January 28, 2004